



04-25-07

Attorney's Docket No.: 12669-002001 / MK504269-003

[Handwritten signatures]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John David Fraser et al
Serial No. : 10/006,797
Filed : December 4, 2001
Title : IMMUNOMODULATORY CONSTRUCTS AND THEIR USES

Art Unit : 1644
Examiner : Amy E. Juedes
Conf. No. : 9884

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated October 26, 2006, finally rejecting claims 2-6, 10, 11, 13, 15, 16, and 39.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including April 26, 2007 is enclosed.

Enclosed is a \$ 250 check for the appeal fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 04/24/07



Yahua Chen, Ph.D., J.D.
Reg. No. 55,055

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21618788.doc

04/25/2007 AWONDAF1 00000009 10006797
01 FC:2401
250.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 828221882 US

April 24, 2007
Date of Deposit